

EN BANC

[A.M. No. 09-2-74-RTC, June 28, 2010]

REQUEST OF JUDGE NINO^[1] A. BATINGANA, REGIONAL TRIAL COURT, BRANCH 6, MATI CITY, DAVAO ORIENTAL, FOR EXTENSION OF TIME TO DECIDE CIVIL CASE NO. 2049.

R E S O L U T I O N

CARPIO MORALES, J.:

By Resolution of March 30, 2009,^[2] the Court, acting on the September 5, 2008^[3] and December 4, 2008^[4] letters of Judge Nino A. Batingana (respondent), Presiding Judge of Branch 6, Regional Trial Court, Mati City, Davao Oriental, requesting for extension of time (fourth and fifth) for a total of 180 days to decide Civil Case No. 2049,^[5] denied the request since "the Court did not receive [respondent's] requests for first, second and third extension to decide the case and that there is no more time to extend as the due date to decide ha[d] already elapsed." Respondent was thereupon directed to immediately furnish the Court with a copy of the decision in the aforementioned case upon rendition.

A copy of respondent's Decision dated October 16, 2009^[6] was received by the Office of the Court Administrator (OCA) on November 11, 2009.

By Memorandum of November 27, 2009,^[7] the OCA found that while there was no information as to when Civil Case No. 2049 was submitted for decision, respondent mentioned in his September 5, 2008 letter that the case was due for resolution on even date, September 5, 2008. Thus, he incurred a delay of more than one year. The OCA thus recommended that he be fined in the amount of P10,000.

Indeed, the Court finds respondent to have committed undue delay in deciding the subject case. Even granting that his requests for extension for a total of 180 days were granted, the due date of the decision would have been March 4, 2009, yet he decided the case only on October 16, 2009, or more than seven months later.

The Constitution^[8] mandates that cases or matters before the lower courts are to be decided within 90 days. And the *New Code of Judicial Conduct for the Philippine Judiciary*, which took effect on June 1, 2004, requires judges to "perform all judicial duties, including the delivery of reserved decisions, efficiently, fairly and with reasonable promptness."^[9]

Any delay in the administration of justice, no matter how brief, deprives the litigant of his right to a speedy disposition of his case which can easily undermine the people's faith and confidence in the judiciary, lower its standards and bring it to disrepute,^[10] since it reinforces in the minds of the litigants the impression that the